

REMARKS

The present amendment is submitted in response to the Office Action dated June 9, 2009, which set a three-month period for response. Filed herewith is a Request for a Two-month Extension of Time, making this amendment due by November 9, 2009.

Claims 1-4 and 7-12 are pending in this application.

In the Office Action, the replacement drawing for Fig. 11 was objected to as unacceptable, the Examiner suggesting adding numeral 48 to indicate the carriage body. The specification was objected to for an informality. Claims 1-4 and 7-12 were rejected under 35 U.S.C. 112, first paragraph, as being failing to comply with the written description requirement and for lack of enablement. Claims 1-4 and 7-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 1-4 and 7-12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Oster (US 2,253,195).

With regard to the objection to the drawings, Fig. 11 has been amended to add the lead line and reference numeral 48 as suggested by the Examiner.

The specification has been amended on pages 6-7 to address the objection.

Claim 1 has been amended to address the rejection under Section 112, second paragraph.

Regarding the rejection under Section 112, first paragraph, the Applicant offers the following remarks: In the specification, at page 4, lines 13-22, the adjusting structure is discussed in detail. Specifically, it is disclosed that "the

cutting head 1 is selectively provided with an integrated hair cutting length adjuster 9, making the cutting blade 5 capable of being displaced manually in the slit 31 in the direction of the arrow (arrow 32) via a lever 33. This hair cutting length adjuster 9 is in principle known from the aforementioned EP0856386B1, particularly from Figs. 1 through 5 thereof along with the corresponding description, but instead of the lower shearing blade, in this case the two shearing blades 2, 3 solidly joined to one another are displaceable/adjustable relative to the cutting blade 5. The cutting head 5 is embodied as a structural unit 34 and is embodied as lockable to the hair cutting machine 4 (Fig. 2)".

In addition, the paragraph bridging pages 3-4 describes what is meant by "contact-pressure force". Given that the lateral movement is achieved without contact-pressure force and that therefore, there is low friction, the meaning of contact-pressure force must be the absence of pressure perpendicular to the plane of the blade when moving it. This also corresponds with what is clearly shown regarding the movement in the drawings.

Withdrawal of the rejections under Section 12, first paragraph, is respectfully requested, since it is submitted that the objected-to feature are described adequately and specifically in the specification.

Turning now to the substantive rejection of the claims, claim 1 has been amended further to define over the Oster reference by defining the following:

A cutting head (1) for an electric hair cutting machine (4), comprising:

one lower shearing blade (2) and one upper shearing blade (3) fixedly joined to one another, wherein each of said lower shearing blade and said upper shearing blade includes a shearing serration;

a slit disposed between said lower shearing blade (2) and said upper shearing blade (3);

a cutting blade (5) comprising cutting teeth (6) and made from a flat material (7) and configured to drive in oscillation, wherein said slit is configured to form a guide for receiving the cutting blade (5), wherein the cutting blade (5) is configured to oscillate between the lower and upper shearing blades (2, 3), wherein said cutting blade (5) has a cutting serration on one end that corresponds to said shearing serrations on said lower shearing blade and said upper shearing blade ; and

a hair length cut adjuster (9) configured such that the lower shearing blade (2) and the upper shearing blade (3) are adjustable relative to the cutting blade (5).

Support for the added limitations can be found on page 3, lines 18-25.

As argued previously, Oster does not teach or suggest a cutting head in which the stationary shearing blades are fixedly connected to one another to form a guide (in the form of a slot) that receives the cutting blade (5). Rather, Oster teaches a cutting head in which the shearing blades and cutting blade are assembled and then held together using pressure from a clamp spring. This configuration is distinct from that recited in present claim 1 because it requires

the blades to be held together by tension, which resists the oscillatory motion of the cutting blade.

The cutting head taught by Oster also has two fixed blades and a cutting blade held together by a spring clip 16 (page 3, column 2, lines 36-39, and claim 1), which necessarily exerts a force required to hold the three blades together and maintaining the cutters under the correct amount of tension (page 3, column 1, lines 17-22, and claim 1). Oster does not, however, teach or suggest a cutting head in which two shearing blades are fixedly connected to one another to form a guide for receiving a cutting blade, that is, inserting the cutting blade once the shearing blades are solidly fixed to one another.

Further, Oster does not disclose or suggest that *said cutting blade (5) has a cutting serration on one end that corresponds to said shearing serrations on said lower shearing blade and said upper shearing blade*, as defined in amended claim 1.

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. Should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully Submitted,
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